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Human Rights Council
Thirty-third session
Agenda item 10
Technical assistance and capacity-building

Sudan:* † draft resolution

33/... Technical assistance and capacity-building for Yemen in the field of human rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights and relevant international human rights treaties,

Confirming the primary responsibility of States to promote and protect human rights,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of Yemen,

Recalling Security Council resolutions 2014 (2011) of 21 October 2011, 2051 (2012) of 12 June 2012 and 2140 (2014) of 26 February 2014, and Human Rights Council resolutions 18/19 of 29 September 2011, 19/29 of 23 March 2012, 21/22 of 27 September 2012, 24/32 of 27 September 2013, 27/19 of 25 September 2014 and 30/18 of 2 October 2015,

Recalling also Security Council resolution 2216 (2015) of 14 April 2015,

Recognizing that the promotion and the protection of human rights are key factors in ensuring a fair and equitable justice system and, ultimately, reconciliation and stability for the country,

Welcoming the acceptance by Yemeni political parties to complete the political transition process on the basis of the Gulf Cooperation Council initiative and its implementation mechanism, and emphasizing the need for implementation of the recommendations made in the outcome document of the National Dialogue Conference and to complete the drafting of a new Constitution,

* State not a member of the Human Rights Council.

† On behalf of the States Members of the United Nations that are members of the Group of Arab States.

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Welcoming also the results of the meeting of Yemeni political parties in Riyadh on 17 May 2015 and their commitments to find a political solution to the conflict in Yemen on the basis of the Gulf Cooperation Council initiative, the outcomes of the National Dialogue Conference and Security Council resolution 2216 (2015), and the efforts of the Secretary-General and of his Special Envoy for Yemen,

Welcoming further the positive engagement of the Government of Yemen in the Kuwait-hosted peace talks and its acceptance of the road map presented by the Special Envoy of the Secretary-General for Yemen, and encouraging the Government of Yemen to continue its efforts to realize peace and stability in Yemen,

Recalling its call for an investigation into all cases of violation and abuse of human rights, and the relevant call made by the United Nations High Commissioner for Human Rights, and welcoming, in this regard, the release in August 2016 of the preliminary detailed report by the national independent commission of inquiry,

Welcoming the extension of the mandate of the national independent commission of inquiry for a further year, in accordance with Presidential Decree No. 97 of 24 August 2016, in order for the commission to be able to accomplish its mandate,

Welcoming the work of the national independent commission of inquiry, as embodied in its first report, and encouraging the commission to continue working intensively towards the completion of its task during the specified period, in accordance with Presidential Decree No. 97 of 24 August 2016,

Aware of reports by the Office for the Coordination of Humanitarian Affairs that the existing humanitarian emergency affects the enjoyment of social and economic rights, and aware that the parties to the conflict must ensure that humanitarian aid is facilitated and not hindered,

1. *Takes note* of the report of the United Nations High Commissioner for Human Rights on the situation of human rights in Yemen[1] and of the debate held at the Human Rights Council during its thirty-third session, notes with interest the statement and comments by the Government of Yemen on the report and welcomes the willingness of the Government to cooperate with the United Nations and the Office of the High Commissioner;

2. *Expresses deep concern* at the serious abuses and violations of international human rights law and the deteriorating humanitarian situation in Yemen, including the continued recruitment of children contrary to international treaties, the abduction of political activists, the violations against journalists, the killing of civilians, the prevention of access for relief and humanitarian aid, the cutting of electricity and water supplies and the attacks against hospitals and ambulances;

3. *Calls upon* all parties in Yemen to respect their obligations under international human rights law and international humanitarian law, to stop immediately attacks on civilians and to ensure humanitarian access to the affected population nationwide;

4. *Calls upon* the Government to take further measures to protect civilians, and to ensure the continuity of effective investigation by the national independent commission of inquiry with a view to ending impunity in all cases of violation and abuse of human rights, including cases of violence against journalists and the detention of journalists and political activists;

[1] A/HRC/33/38.

5. *Calls upon* all parties in Yemen to implement fully Security Council resolution 2216 (2015), which will contribute to an improvement in the human rights situation and which contains specific concerns and places particular demands on Ali Abdullah Saleh and the Houthis to release political prisoners and journalists and to engage in the political process in an inclusive, peaceful and democratic way, ensuring that women are part of the political and peacemaking process, and calls upon Ali Abdullah Saleh and the Houthis to sign the road map presented by the Special Envoy of the Secretary-General for Yemen;

6. *Demands* that all Yemeni parties to the conflict end the recruitment and use of children and release those who have already been recruited, and calls upon all parties to cooperate with the United Nations for their reintegration into their communities, taking into consideration the relevant recommendations made by the Secretary-General in his reports on children and armed conflict;

7. *Reiterates* the commitments and obligations of the Government of Yemen to promote and protect the human rights of all individuals within its territory and subject to its jurisdiction, and in that connection recalls that Yemen is a party to the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child and the Optional Protocols thereto on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography, the Convention on the Rights of Persons with Disabilities, and the Convention relating to the Status of Refugees and the Protocol thereto, and looks forward to the Government continuing its efforts to promote and protect human rights;

8. *Expresses deep concern* at the deteriorating human rights situation in Yemen, expresses its appreciation to donor States and to organizations working on improving the humanitarian situation, and calls upon the international community to provide financial support for the Yemen humanitarian response plan for 2016 and to fulfil its pledges to the relevant United Nations humanitarian appeal;

9. *Invites* all bodies of the United Nations system, including the Office of the High Commissioner, and Member States, to assist the transitional process in Yemen, including by supporting the mobilization of resources to tackle the consequences of the violence and the economic and social challenges faced by Yemen, in coordination with the international donor community and in accordance with the priorities set by the Yemeni authorities;

10. *Requests* the High Commissioner, when allocating additional international human rights experts to its Yemen programme in coordination with the Government of Yemen, to work closely with the national independent commission of inquiry to enable it to establish the facts and circumstances of any violations and abuses, and to provide substantive technical assistance and advice, including in the areas of accountability and legal support, to enable the national commission to complete its investigatory work, which includes ensuring that the national commission investigates allegations of violation and abuse committed by all parties to the conflict, in line with international standards; requests the national commission to submit its final comprehensive report on alleged human rights violations and abuses in all parts of Yemen as soon as it is available; and encourages all parties to the conflict in Yemen to grant full access to and to cooperate fully and transparently with the national commission and the Office of the High Commissioner;

11. *Also requests* the High Commissioner to present to the Human Rights Council, at its thirty-fifth session, an oral update on the human rights situation in Yemen, and at its thirty-sixth session, a report on the implementation of the present resolution on technical assistance and capacity-building in Yemen in the field of human rights.